BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES

Regular Meeting April 3, 2007

<u>Call to Order.</u> A regular meeting of the Stafford County Board of Supervisors was called to order by Jack R. Cavalier, Chairman, at 1:00 P. M., Tuesday, April 3, 2007, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: George H. Schwartz; M. S. "Joe" Brito; Jack R. Cavalier, Chairman; Mark Dudenhefer, Vice Chairman; Peter J. Fields and Robert C. Gibbons. Mr. Paul V. Milde, III, arrived at 1:01 P.M.

Also in attendance were: Steve Crosby, County Administrator; Joe Howard, County Attorney; and Marty Beard, Chief Deputy Clerk.

Legislative; Presentation of Proclamations.

- Commemorate Posthumously Colonel Paul Michael Kelly.
- Declare the Week of April 15-21, 2007, as Citizen Volunteer Appreciation Week
- Recognize the Week of April 8-14, 2007, as National Telecommunicators Week in Stafford.

<u>Presentations by the Public.</u> The following persons spoke on topics as identified:

Marr Snyder - Sutherland Boulevard.

Dean Fetterolf - School funding.

Russell Hall - Business, Professional, Occupational and License Tax.

Dana Brown - Real Estate Tax.

- Business, Professional, Occupational and License Tax.

- Enforcement of uncollected revenue.

Becky Reed - Real Estate Tax.

- Business, Professional, Occupational and License Tax.

Jim McMath - Business, Professional, Occupational and License Tax.

Cathy Perry - Sutherland Boulevard.

Ruth Carlone - Salute to Stafford Day.

- Appreciation of volunteers.

- Business, Professional, Occupational and License Tax.

- Tree removal on U. S. Route 1.

- Code enforcement.

- Sutherland Boulevard.

Will Carmean - Business, Professional, Occupational and License Tax.

Lou Silver - Business, Professional, Occupational and License Tax.

- 2004 Taxpayers Association Book.

- Commented on last Board meeting.

Patricia Kurpiel Business, Professional, Occupational and License Tax.

Legislative; Report of the Superintendent of Schools. Dr. David E. Sawyer, Division Superintendent of Schools, gave a presentation on current school issues and responded to Board members questions.

Presentations and Committee Reports by Board Members. Board members spoke on topics as identified:

Mr. Gibbons House fire in Vista Woods.

Veterans Memorial.

Virginia Railway Express.

North Stafford High School fund raiser.

Attended Technology Show at Colonial Forge High School.

Demographics on Base Realignment and Closure.

Business, Professional, Occupational License.

Mr. Milde Business, Professional, Occupational License.

Attended steering committee meetings on land use plan.

Fredericksburg City Council meeting.

North Stafford Roundtable meeting.

Potomac and Rappahannock Transportation Commission meeting.

Chaplain Youth Center meeting.

Hartwood Elementary Multi-cultural Day.

Brooke Post Office.

Historical Society presentation.

Virginia Railway Express Operations Board meeting.

Hills of Aquia erosion and sediment issues.

Old Concord/Hope Road curve.

- Fire and Rescue graduation.
- Courthouse master plan.
- Rappahannock Regional Solid Waste Management Board Meeting.
- Courthouse Road/collector lanes.
- Aquia Town Center public forum on April 26, 2007.
- Celebrity waiter for Renaissance program.
- Attended museum meeting.

Mr. Brito

- Crucible case.
- Ribbon cutting for Giant on Warrenton Road.
- Town Hall meeting.
- Attended Comprehensive Plan Steering Committee.
- Target on Warrenton Road.
- Wal-Mart on Warrenton Road.
- Vulcan Materials on Warrenton Road.
- Lowe's at Celebrate Virginia.
- House Bill 3202.

Mr. Dudenhefer

- Base Realignment and Closure meeting.
- Attended Fredericksburg Area Metropolitan Planning Organization meeting.
- Falmouth/Deacon Road sidewalks.
- House Bill 3202.
- Partnership for Safe Teen Drivers.

Mr. Fields

- Board of Social Services meeting.
- Attended Community Policy and Management Team meeting.
- Rappahannock Regional Solid Waste Management Board meeting.

- Rappahannock River Basin Commission Meeting.
- Fredericksburg/Stafford Park Authority.
- Appreciation of volunteers and work session.
- Festival of Arts Opera at Ann E. Moncure elementary school.
- Forestry versus local control issues.

Mr. Cavalier

- Expressed congratulations to a Stafford High School student Catie Frakes on her gymnastics awards.
- Fredericksburg/Stafford Park Authority meeting.
- Parks and Recreation Annual Banquet.
- Aquia Harbour HOA meeting.

<u>Report of the County Attorney.</u> Mr. Joseph L. Howard, County Attorney, commented on the following:

Closed Meeting additions.

<u>Legislative</u>; Additions to the Closed Meeting. Mr. Gibbons motioned, seconded by Mr. Fields to add the following items to the Closed Meeting: (1) Dominion Power Transmission Line SCC case issues; (2) Legal advice and contract negotiation strategy regarding the PRTC/NVTC Master Agreement involving VRE governance and funding issues; (3) A personnel matter involving a Fire and Rescue personnel issue; (4) A personnel matter involving a Parks & Recreation personnel issue.

The Voting Board tally was:

Yea: (7) Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz

Nay: (0)

Report of the County Administrator. Mr. Steve Crosby, County Administrator, commented on the following:

- Additions and deletions to the Regular Agenda.

Legislative; Regular Agenda Additions and Deletions. Mr. Milde motioned, seconded by Mr. Gibbons, to add the following items to the Regular Agenda: Discuss Flood Inundation Zones; and to delete the following items: Item 6. Utilities; Consider the Use of a Low Pressure Sewer System for Tax Map 38, Parcel 55 for Seneca Ridge Subdivision; Item 7c. Legislative; Discuss HB3202 – Transportation Funding; Authority to Certain Localities to Impose Additional Fees Therefor, and 7:00 P.M., presentation of Proclamation to Commemorate Posthumously Thomas E. Peachey, and Item 14. Planning; Consider a Conditional Use Permit at 1139 Courthouse Road.

The Voting Board tally was:

Yea: (7) Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito

Nay: (0)

<u>Legislative</u>; <u>Consent Agenda.</u> Mr. Gibbons motioned, seconded by Mr. Milde, to adopt the Consent Agenda consisting of Items 1 thru 4.

The Voting Board tally was:

Yea: (7) Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito, Cavalier

Nay: (0)

<u>Item 1. Legislative; Approve Minutes of Board Meetings.</u> Regular Meeting of March 6, 2007 and Regular Meeting of March 20, 2007.

Item 2. Legislative; Approve Proclamations:

Proclamation P07-09 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND JOEY PANTALEO FOR WINNING A 2007 INDIVIDUAL STATE WRESTLING TITLE

WHEREAS, Joey Pantaleo is a member of the 2007 State Champion Colonial Forge High School Eagles Wrestling Team; and

WHEREAS, Joey Pantaleo is a junior whose career wrestling record stands at 116 wins and 31 losses, with a 2007 season record of 50 wins and only 6 losses; and

WHEREAS, Joey Pantaleo won the 2007 Individual State Championship Wrestling Title in the 125-pound weight class; and

WHEREAS, Joey Pantaleo is respected by his peers and coaches as a dedicated and goal-oriented young man who works tirelessly to perfect his skills through strength and conditioning exercises, practice sessions and weekend tournaments; and

WHEREAS, Joey Pantaleo, who also plays on his school's lacrosse team, has been honored as a member of *The Free Lance-Star* First Team All Area; and

WHEREAS, Joey Pantaleo aspires to attend college on a wrestling scholarship; and

WHEREAS, Joey Pantaleo manages to balance his academic and sports activities with a special dedication to the mission of his church and to volunteering in the larger community; and

WHEREAS, the Board desires to call to the attention of citizens everywhere the many accomplishments of Joey Pantaleo and to wish him well in his future endeavors;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 3rd day of April, 2007, that Joey Pantaleo be and he hereby is commended for winning a 2007 individual state wrestling championship.

Proclamation P07-10 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND MATT RECK FOR WINNING A 2007 INDIVIDUAL STATE

WHEREAS, Matt Reck is a member of the 2007 State Champion Colonial Forge High School Eagles Wrestling Team; and

WHEREAS, Matt Reck's career record stands at 124 wins and 47 losses, and his 2007 season record reflected 49 wins and 3 losses; and

WHEREAS, Matt Reck won the 2007 Individual State Championship Wrestling Title in the 215-pound weight class; and

WHEREAS, Matt Reck is both a scholar and an accomplished athlete who maintained a 3.9 grade point average throughout high school, in addition to wrestling and playing on his school's All District and All Region football team; and

WHEREAS, Matt Reck was honored as a member of the *The Washington Post*First Team All Met and *The Free Lance-Star* First Team All Area; and

WHEREAS, Matt Reck plans to attend one of the military service academies in the fall to continue his academic and sports ventures; and

WHEREAS, the Board desires to call to the attention of citizens everywhere the many accomplishments of Matt Reck and to wish him well in his future endeavors;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 3rd day of April, 2007, that Matt Reck be and he hereby is commended for winning a 2007 individual state wrestling championship.

Proclamation P07-11 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND THE COLONIAL FORGE HIGH SCHOOL EAGLES WRESTLING TEAM FOR WINNING THE 2007 STATE CHAMPIONSHIP

WHEREAS, members of the Colonial Forge High School Wrestling Team participated in hundreds of hours of grueling conditioning sessions and practices, and traveled throughout the region on weekends to compete in dozens of tournaments; and

WHEREAS, the members of this outstanding team include Chris Bellios, Josh Capriani, Philip Chichester, Steven Courtney, Michael Garofalo, Bryce Garrison, Shane Gentry, Brandon Hogdahl, Max Huntley, Oscar Huntley, Joey Pantaleo, Matt Reck, Ricky Torres, and Joe Yates; and

WHEREAS, head coach Bill Swink, assistant coaches Mark Black and Chris Pirch, and volunteer assistants Jon Barr and Matt Taylor guided these young men as they developed the skills and perseverance to become the best at their sport; and

WHEREAS, the Colonial Forge High School Eagles Wrestling Team attained their ultimate goal by capturing the 2007 Virginia AAA State Wrestling Championship title; and

WHEREAS, the team amassed a total score of 169.5, earning the distinction of becoming the first wrestling team from the Commonwealth District and the Northwest Region to win the state wrestling title, and the first team outside the Eastern Region since 1985 to earn this distinction; and

WHEREAS, the Board desires bring to the attention of citizens everywhere the outstanding effort and hard work of these fine young athletes and their coaches;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 3rd day of April, 2007, that the Colonial Forge High School Eagles Wrestling Team be and it hereby is commended for winning the 2007 State Wrestling Championship.

Item 3. Economic Development and Legislative Affairs; Appropriate Grant Funds for the Department of Defense, Office of Economic Adjustment, Growth Management Planning Assistance Grant and Authorize Position.

Resolution R07-156 reads as follows:

A RESOLUTION TO APPROPRIATE GRANT FUNDS FOR THE
DEPARTMENT OF DEFENSE OFFICE OF ECONOMIC ADJUSTMENT
GROWTH MANAGEMENT PLANNING ASSISTANCE GRANT AND
AUTHORIZE A FULL-TIME BRAC COORDINATOR

WHEREAS, the County, representing the Quantico area, was awarded \$163,545 in grant funds from the Department of Defense, Office of Economic Adjustment for Growth Management Planning assistance; and

WHEREAS, \$37,651 of those funds are designated for expenses in FY07; and

WHEREAS, these funds are to be used in combination with a 10 percent match of existing budgeted funds from the Department of Economic Development and Legislative Affairs to hire a BRAC Coordinator; and

WHEREAS, this BRAC Coordinator will facilitate communications between Quantico Growth Management Committee, Stafford County, Quantico MCB, the Department of Defense, and other state and federal agencies on BRAC 2005 movements effecting Stafford County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of April, 2007, that the County Administrator be and he hereby is authorized to budget and appropriate funds in the amount of Thirty-seven Thousand, Six Hundred Fifty-one Dollars (\$37,651) to the General Fund, Economic Development category; and

BE IT FURTHER RESOLVED that a temporary full-time position for a BRAC Coordinator be and it hereby is authorized through June 30, 2008.

<u>Item 4. Legislative; Appoint Members to Boards, Authorities, Commissions and Committees.</u>

Cable Television Advisory Committee.

Resolution R07-158 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE CABLE TELEVISION ADVISORY COMMITTEE

WHEREAS, the Board, on December 2, 1986, approved Resolution R86-612(R) which established the Cable Television Advisory Committee; and

WHEREAS, Resolution R86-612(R) provides for the appointment of seven citizens, each residing in a different election district, to serve on the Cable Television Advisory Committee; and

WHEREAS, the Board, on April 4, 1989, approved Resolution R89-124(R) to include a voting representative from the County Administrator's Office, and a voting representative from the School Superintendent's Office; and

WHEREAS, the Board has appointed the following:

<u>NAME</u> <u>EXPIRATION</u>

Jacqueline Hontz December 31, 2007

(George Washington District)

Danielle J. Davis December 31, 2007

(Aquia)

Marilee Knight December 31, 2007

(Griffis-Widewater District)

Thomas Gregory December 31, 2007

(Rock Hill District)

James Crowe December 31, 2007

(Garrisonville District)

Terry Lottes December 31, 2007

(Hartwood)

Thomas W. Kimbrell December 31, 2007

(Falmouth District)

County Administrator Virtue of Office

or Designee

School Superintendent Virtue of Office

or Designee

WHEREAS, James Crowe has submitted his resignation; and

WHEREAS, the term of appointment is one year;

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 3rd day of April, 2007, that

<u>NAME</u> <u>EXPIRATION</u>

John Johnson December 31, 2007

(Garrisonville District)

be and he hereby is appointed to the Cable Television Advisory Committee.

<u>Utilities</u>; <u>Amend the Pump and Haul Agreement to Add 275 Decatur Road.</u> Mr. Dale Allen, Assistant Director of Utilities-Engineering, gave a presentation.

Mr. Cavalier motioned, seconded by Mr. Gibbons, to adopt proposed Resolution R07-154.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Fields, Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer

Nay: (0)

Resolution R07-154 reads as follows:

A RESOLUTION TO APPROVE A PUMP AND HAUL AGREEMENT
WITH THE VIRGINIA DEPARTMENT OF HEALTH FOR 275 DECATUR
ROAD

WHEREAS, the County has an Agreement and General Permit with the State Health Department for Pump and Haul services; and

WHEREAS, Pump and Haul services are required for 275 Decatur Road; and

WHEREAS, it is necessary for the County to add new locations to the General Permit Agreement with the Virginia Department of Health;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of April, 2007, that the County Administrator be and he hereby is authorized to add 275 Decatur Road to the agreement with the Virginia Department of Health; and

BE IT FURTHER RESOLVED that these services will be discontinued and removed from the agreement with the Virginia Department of Health if public sewer becomes available; and

BE IT STILL FURTHER RESOLVED that Stafford County bears no financial obligation and the anticipated occupant will bear all costs associated with Pump and Haul services.

Legislative; Discuss Amending Bylaws Regarding Tie Votes. Mr. Schwartz commented.

Mr. Schwartz motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R07-172.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields

Nay: (0)

Resolution R07-172 reads as follows:

A RESOLUTION TO AMEND SECTION 1-4(E) OF THE 2007 BY-

LAWS AND RULES OF PROCEDURE FOR CALENDAR YEAR 2007

WHEREAS, the Board desires to amend Section 1-4(E) regarding its procedures

for tie votes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 3rd day of April, 2007, that the 2007 By-Laws and Rules of

Procedure are hereby amended by amending Section 1-4(E), as follows, all other portions

remaining unchanged:

Section 1-4 Quorum and method of voting

A. A quorum shall consist of a majority of the members of the Board of

Supervisors.

B. At meetings of the Board, the presiding officer shall announce which

members are absent and the reasons for their absence, if known. Such announcement

shall be made immediately after the roll call of members; or, if a member leaves after the

roll call, as soon as practicable thereafter. Any absences and the reasons therefore also

shall be recorded in the minutes of the meeting.

C. All questions submitted to the Board for decision shall be voted using the

electronic voting board. Any member may request a roll call vote. A green light

represents a "Yea" vote and a red light represents a "Nay" vote. The Chairman shall call for the vote and each member shall cast his vote via the electronic voting board. The Chairman shall then call for the Clerk to close the vote. Upon closing the vote, the Clerk shall display the vote as directed by the Chairman. Upon the display of the vote, the Chairman shall announce the vote.

- D. It shall be the duty of every member to vote on issues before the Board of Supervisors. If a member must abstain, he shall state his reason for abstaining for the record. If an abstention occurs, it shall be the responsibility of the Chairman to have the reason for the abstention noted in the official record, if a reason is requested by any member of the Board.
 - E. A tie vote fails, however, if all members are not present for the vote, the question matter shall be passed by until the next regular meeting of the Board, when it shall again be voted upon by the absent member even if all other members are not present the matter shall be placed on the agenda as if for the first time, with full discussion and debate allowed by all members and with a new vote taken by all members present. Any member casting a vote due to a tie vote at a previous meeting may request debate on each side of the issue. Said debate shall be limited to three (3) minutes per person.

<u>Legislative</u>; <u>Discuss Business</u>, <u>Professional and Occupational License (BPOL)</u>. Mr. Scott Mayausky, Commissioner of the Revenue, gave a presentation and responded to Board Members questions.

Mr. Schwartz motioned, seconded by Mr. Fields, to adopt proposed Resolution R07-151.

Discussion ensued.

Mr. Milde made a substitute motion, seconded by Mr. Dudenhefer, to defer proposed Resolution R07-151 until November, 2007.

Discussion ensued.

The Voting Board tally on the substitute motion was:

Yea: (4) Cavalier, Dudenhefer, Gibbons, Milde

Nay: (3) Schwartz, Brito, Fields

<u>Utilities</u>; Amend the Pump and Haul Agreement to Add 213 Toluca Road. Mr. Dale Allen, Assistant Director of Utilities-Engineering, gave a presentation.

Mr. Gibbons motioned, seconded by Mr. Milde, to adopt proposed Resolution R07-120.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Cavalier, Dudenhefer, Gibbons, Milde, Schwartz

Nay: (2) Brito, Fields

Resolution R07-120 reads as follows:

A RESOLUTION TO APPROVE A PUMP AND HAUL AGREEMENT WITH THE VIRGINIA DEPARTMENT OF HEALTH FOR 213 TOLUCA ROAD

WHEREAS, the County has an Agreement and General Permit with the State Health Department for Pump and Haul services; and

WHEREAS, Pump and Haul services are required for 213 Toluca Road; and

WHEREAS, it is necessary for the County to add new locations to the General Permit Agreement with the Virginia Department of Health;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 3rd day of April, 2007, that the County Administrator be and he

hereby is authorized to add 213 Toluca Road to the agreement with the Virginia

Department of Health; and

BE IT FURTHER RESOLVED that these services will be discontinued and

removed from the agreement with the Virginia Department of Health if public sewer

becomes available; and

BE IT STILL FURTHER RESOLVED that the applicant may only renovate or

replace the existing house if the renovated or replacement house contains no more than

three bedrooms and no more than 1800 square feet of area; and

BE IT STILL FURTHER RESOLVED that Stafford County bears no financial

obligation and the anticipated occupant will bear all costs associated with Pump and Haul

services.

Public Services; Authorize the County Administrator to Execute a Contract to Repair and

Complete Sutherland Boulevard in Heather Hills Subdivision. Mr. Fulton DeLamorton,

Senior Engineer, gave a presentation.

Mr. Gibbons motioned, seconded by Mr. Milde, to defer proposed Resolution R07-137.

Discussion ensued.

The Voting Board tally was:

Yea: (7)

Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito

Nay: (0)

Administration; Authorize Funding of the Rappahannock Area United Way Needs

Assessment. The Deputy County Administrator gave a presentation and responded to

Board members questions.

Mr. Fields motioned, seconded by Mr. Milde, to adopt proposed Resolution R07-143.

Discussion ensued.

The Voting Board tally was:

Yea:

(6) Dudenhefer, Fields, Gibbons, Milde, Brito, Cavalier

Nay: (1)

(1) Schwartz

Resolution R07-143 reads as follows:

A RESOLUTION TO AUTHORIZE FUNDING OF THE RAPPAHANNOCK AREA UNITED WAY COMMUNITY NEEDS ASSESSMENT

WHEREAS, the Rappahannock United Way formed a consortium of private and

public organizations to design and lead a comprehensive analysis of health and human

services issues within each locality and around the region; and

WHEREAS, the community needs assessment will collect primary and secondary

data from multiple sources to achieve several objectives; and

WHEREAS, the needs assessment is estimated to cost \$80,000; with United Way,

Virginia Department of Housing grant funds and corporate donations to cover half the

cost; and

WHEREAS, the counties of Caroline, King George, Spotsylvania and the City of

Fredericksburg are also being requested to participate in this desirable study; and

WHEREAS, the United Way is requesting that the five localities contribute a total

of \$40,000 and the Board desires to participate in this project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 3rd day of April 2007 that the staff be and it hereby is authorized

to provide funds in an amount not to exceed \$8,000 to the Rappahannock United Way for

a community needs assessment.

Legislative; Closed Meeting. At 4:30 P.M., Mr. Milde motioned, seconded by Mr.

Fields, to adopt proposed Resolution CM07-10.

The Voting Board tally was:

Yea: (7)

Fields, Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer

Nay: (0)

Resolution CM07-10 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and

discuss in Closed Meeting legal advice in regard to the Dominion Power Transmission

Line SCC case issues; legal advice and contract negotiation strategy regarding the

PRTC/NVTC Master Agreement involving VRE governance and funding issues; a

personnel matter involving a Fire and Rescue personnel issue; and a personnel matter

involving a Parks & Recreation personnel issue.

WHEREAS, pursuant to Section 2.2-3711 A.1, A.7, and A.30 Va. Code Ann.,

such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 3rd day of April, 2007 does hereby authorize discussions of the aforestated matters in Closed Meeting.

<u>Call to Order.</u> At 5:18 P. M., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u>. Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM07-10a.

The Voting Board tally was:

Yea: (6) Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer,

Nay: (0)

Absent: (1) Fields

Resolution CM07-10a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON APRIL 3, 2007

WHEREAS, the Board has, on this the 3rd day of April, 2007, adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 3rd day of April, 2007, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from

open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board. No member dissents from the aforesaid certification.

Recess. At 5:20 P.M. the Chairman declared a recess until 7:00 P.M.

Call to Order. At 7:05 P.M., the Chairman called the meeting back to order.

Invocation. Mr. Fields gave the Invocation.

<u>Pledge of Allegiance to the Flag of the United States of America.</u> Mr. Schwartz lead in the recitation of the Pledge of Allegiance to the Flag of the United States of America.

<u>Legislative</u>; <u>Presentation of Proclamations</u>.

- Colonial Forge High School Wrestling Team and Individuals, Joey Pantaleo and Matt Reck.
- Designate the Week of April 2007 as Organ and Tissue Donation Awareness Month in Stafford.

<u>Legislative</u>; <u>Presentations by the Public-II.</u> The following persons spoke on topics as identified:

Jim Schaefer - Funding for Rappahannock Area Agency on Aging.

Public Services; Consider the Virginia Department of Transportation FY2008-FY2013 Six-Year Secondary Road Improvement Program. Mr. Fulton DeLamorton, Senior Engineer, and Ms. Jorg Huckleby-Mayfield, VDOT Residency Administrator, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing,

Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R07-96.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Milde, Cavalier, Dudenhefer, Fields, Gibbons

Nay: (2) Schwartz, Brito

Resolution R07-96 reads as follows:

A RESOLUTION TO APPROVE THE VIRGINIA DEPARTMENT OF TRANSPORTATION FY2008-FY2013 SIX-YEAR SECONDARY ROAD IMPROVEMENT PROGRAM

WHEREAS, pursuant to Section 33.1-70.01 of the Code of Virginia (1950), as amended, the Board and representatives of the Virginia Department of Transportation (VDOT) have conducted a public hearing for the proposed FY2008-FY2013 Six-Year Secondary Road Improvement Program; and

WHEREAS, the Board has considered the recommendations of the Transportation Commission, Staff and the testimony received at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of April, 2007, that the FY2008-FY2013 Six-Year Secondary Road Improvement Program be and it hereby is approved; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the VDOT Residency Administrator.

Planning; Amend and Reordain the Zoning Ordinance by Amending the Zoning District Map to Reclassify From R-1, Suburban Residential, to B-2, Urban Commercial, 1.48

Acres at 2772 Jefferson Davis Highway and Consider a Conditional Use Permit at 2772

Jefferson Davis Highway. Mr. Jeff Harvey, Director of Planning and Community

Development, gave a presentation on both issues.

The Chairman opened a public hearing on both issues.

The following people spoke:

Clark Leming, on behalf of the Applicant

John Parker

Jim Elkins

Frances Elkins

Robert Goodchild

Sharon Goodchild

Ben Litalien

Darlene Pack

Douglas Pack

Patricia Ashby

Mary Brown

Slyvie Pendelton

Clark Leming

The public hearing remains open.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to defer proposed Ordinance O07-06 and Resolution R07-04 to the May 1, 2007, Board meeting.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde

Nay: (0)

Budget; Budget and Appropriate Funds for the Architectural and Engineering Services for the New Library. Mr. Anthony Romanello, Deputy County Administrator, gave a presentation.

Mr. Schwartz motioned, seconded by Mr. Fields, to adopt proposed Resolution R07-149.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz

Nay: (0)

Resolution R07-149 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO BUDGET AND APPROPRIATE FUNDS FOR THE ARCHITECTURAL
AND ENGINEERING DESIGN OF A NEW LIBRARY

WHEREAS, the Board authorized staff to seek bids for the design of the County's second library to be located at the intersection of Lyons Boulevard and Plantation Drive in South Stafford; and

WHEREAS, County and Central Rappahannock Regional Library staff interviewed prospective architects and are recommending Lukmire Partnership; and

WHEREAS, the Board on the 6th day of March, 2007, authorized a contract with Lukmire Partnership, in an amount not to exceed \$825,000; and

WHEREAS, funding will be from proffer donations in the amount of \$139,509 and the balance funded from the General Fund, Prior Year Fund Balance;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of April, 2007, that the County Administrator be and he hereby is authorized to budget and appropriate funds in the amount not to exceed Eight Hundred Twenty-five Thousand Dollars (\$825,000) for architectural services for the County's second library as follows:

GENERAL FUND

Capital Projects

\$825,000

GENERAL CAPITAL PROJECTS FUND

\$825,000

<u>Legislative</u>; <u>Discuss Flood Inundation Zones.</u> Mr. Gibbons commented.

Mr. Gibbons motioned, seconded by Mr. Brito, to refer this item to the Planning Commission to further review and provide an ordinance amendment.

The Voting Board tally was:

Yea: (7) Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito

Nay: (0)

Adjournment. At 9:30 P. M., the Chairman declared the meeting adjourned.

Steve Crosby Jack R. Cavalier

County Administrator Chairman